

REMARKS

This Amendment is being filed in response to the Office Action mailed October 11, 2007, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, claims 1, 3 and 5 have been amended for non-statutory reasons, such as for better form including beginning the dependent claims with 'The' instead of 'A', changing "characterized in that" to --wherein--, and deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Claims 1, 3 and 5 were not amended in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, claims 1, 3 and 5 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by EP 0 888 035 (Hosokawa). It is respectfully submitted that Claims 1, 3, and 5-6 are patentable over Hosokawa for at least the following reasons.

Hosokawa shows in FIGs 1-2 a wiring layer 5 formed in a planarization layer 6 formed on a substrate 1. Assuming arguendo that the Hosokawa planarization layer 6 is analogous to the substrate as recited in independent claim 1, it is respectfully submitted that FIGs 1-2 show that the wiring layer 5 has a width which is more than 20% of portions of the surface of the planarization layer 6 that are in contact with the lower electrode 2.

In stark contrast, the present invention as recited in independent claim 1, amongst other patentable elements requires (illustrative emphasis provided):

wherein a width of the metallic structure that obstructs the light from the viewer is not more than 10% of portions of the surface of the substrate that are in contact with the first electrode.

These features are nowhere taught or suggested in Hosokawa. Accordingly, it is respectfully submitted that independent claim 1 should be allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 3 and 5-6 should also be allowed at least based on their dependence from amended independent claim 1.

In addition, Applicants deny any statement, position or

averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By   
Dicran Halajian, Reg. 39,703  
Attorney for Applicant(s)  
January 3, 2008

**THORNE & HALAJIAN, LLP**  
Applied Technology Center  
111 West Main Street  
Bay Shore, NY 11706  
Tel: (631) 665-5139  
Fax: (631) 665-5101